

Legal Aid Group Celebrates 30 Years of Service

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Southwest Virginia Legal Aid serves 17 counties with 14 lawyers and a 32-member staff, but Joe Tate remembers it didn't start that way.

"The first day I showed up at Legal Aid, I interviewed myself," he said. He was its only lawyer at first.

Tate, now in private practice in Marion, was hired as the program's first director in 1972 after a Marion-based community action program secured grant money to establish the Smyth-Bland Legal Aid Society.

That was the start of legal aid in Southwest Virginia, and Tate was among those who gathered here over the weekend to celebrate its 30 years of service. It now covers localities from Lee County to Christiansburg.

"The Smyth County bar was rather small, and the Bland County bar was Sam Hardy," Tate said, referring to the man who, for many years, was the only lawyer in Bland County. So the effort to bring legal services to those who could not otherwise afford them began in a small way.

Many viewed the early legal aid lawyers as "wild-eyed radicals," Tate said. "We started with a budget that today wouldn't pay the salary of one staff person."

The office handled 60 cases in its first year. By 1973, it had opened an office in Abingdon and, in 1976, in Wytheville. Most of its early cases involved divorce and family law. In 1978, it changed its name to Southwest Virginia Legal Aid Society.

Eilene McIlvane, who was not a lawyer, became its executive director in 1981. By then, the program had added Carroll and Grayson counties and the city of Galax and had five attorneys. Larry Harley, who became its executive director in 1993 and still holds that office, joined it in 1975 as a paralegal and came back in 1979 as a lawyer.

In the 1960s, Harley said, legal aid lawyers were banned from practicing in some courts, so the Southwest Virginia group became partners with the private bar to avoid that.

During the early 1980s, federal funding for legal aid was reduced and, by 1984, only the Marion office was still in business. By the late 1980s, state funding increased. By 1990, the program's work mainly involved helping people with food stamps, housing, health care and other basic needs. By 1995, it employed four lawyers.

"We caught our stride in the '80s and '90s. We still have a long way to go," Harley said. "I like to think we will never feel that we have arrived."

The Legal Services Corp., which is now the program's major funding source, began pushing in 1995 for smaller programs to merge. Between 2000 and 2001, those west of Roanoke did. The board of

the New River Valley Legal Aid Society voted to join the Southwest Virginia group. The head of Client Centered Legal Services in the westernmost part of the state opposed the merger, but the Southwest Virginia group eventually hired nine former employees of that agency and opened a new office in the coalfields. Its offices are now in Castlewood, Marion and Christiansburg.

Asked later about the program's future, Harley said it is only now settling in to its expanded service area and seeking continuing partnerships with the private bar and various agencies.

"We're entering a time of reduced funding for much of our work, but we just got an increase in our domestic violence funding, and we are working closely with the seven domestic-violence programs within our service area," he said. The new funding comes through the U.S. Department of Justice.

Justice Cynthia Kinser of the Virginia Supreme Court, keynote speaker for the celebration, said the concept of legal aid can be traced back to wording in England's Magna Carta, but the first version in this country was an 1876 program in New York to help German immigrants. That organization changed its name to Legal Aid Society in 1890.

It was the Economic Opportunity Act of 1964 that began providing federal funding for programs to bring legal services to the poor, Kinser said. "Legal Services has fundamentally changed how government agencies relate to the poor," she said.